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IN THE

SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1965

No. 816

GOVERNMENT EMPLOYEES INSURANCE COMPANY, *Petitioner*

vs.

UNITED STATES OF AMERICA, *Respondent*

PETITION FOR REHEARING ON PETITION FOR WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE TENTH CIRCUIT

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Petitioner prays this Court grant rehearing of its order of January 31, 1966, denying the Petition for Writ of Certiorari, and that the Writ of Certiorari issue to review the judgment of the Court of Appeals for the Tenth Circuit in the above entitled case as prayed for in the Petition filed December 13, 1965, herein.

Government Employees Insurance Company, Petitioner, filed its Petition for Writ of Certiorari which has been denied by this Court. After the filing of said Petition, National Rural Letter Carriers Association obtained

the consent of both Petitioner and Respondent for the filing of a brief amicus curiae in support of Petitioner's Petition for Writ of Certiorari. Immediately thereafter, counsel for the National Rural Letter Carriers Association, as Petitioner amicus curiae, prepared such a brief, which brief was at the printers on January 31, 1966, on which date this Court denied the Petition for Writ of Certiorari. Said brief amicus curiae has now been tendered for filing with the Clerk of this Court. Petitioner respectfully urges this Court for a rehearing and reconsideration of the Petition for Writ of Certiorari in view of the fact that the brief amicus curiae had not been filed and had not been considered by this Court in its denial of the Petition for Writ of Certiorari. Said brief amicus curiae presents additional reasons which should be considered by this Court on the Petition for Writ of Certiorari and presents for consideration the interest of National Rural Letter Carriers Association in a review by this Court of the problems presented in the Petition.

As stated in the brief of the amicus curiae, the National Rural Letter Carriers Association has some 37,500 individuals who serve as rural letter carriers for the Post Office Department, each of whom drives a motor vehicle in the course of serving as a rural letter carrier for the Post Office Department, and said Association, properly, is interested for its members in the outcome of this case and the constitutional questions and conflict of appellate decisions which have been raised in the Petition for Writ of Certiorari. The amicus curiae brief involves the protection of the Fourteenth Amendment which ground was not raised by petitioner and is available to petitioner. Said brief of the amicus curiae raises additional reasons and arguments why the Petition for Writ of Certiorari should be granted

and points out to this Court why interests other than just those of persons insured by Petitioner, and Petitioner itself, are affected by the decision of this Court herein.

The brief of the amicus curiae, as well as raising additional matters in support of the granting of the Petition for Certiorari, points up the broad public interests involved in this case, and the number of persons affected by it. Petitioners respectfully urge this Court that this matter is worthy of reconsideration and that a rehearing on the Petition for Writ of Certiorari to the United States Court of Appeals for the Tenth Circuit should be granted, and the brief of the amicus curiae should be received and considered by this Court as part of the proceedings herein.

February, 1966

Respectfully submitted,

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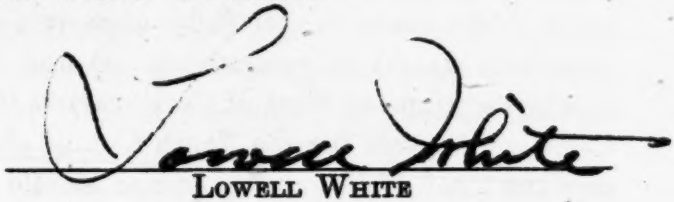
Attorneys for Petitioner

I hereby certify that the foregoing Petition for Rehearing is presented in good faith and not for delay and is restricted (as provided in Rule 58 of the rules of this Court) to the grounds that substantial matters are raised in the brief of the amicus curiae, not previously presented to the Court, but which matters are important, available to Petitioner and applicable as grounds for the granting of the Petition for Writ of Certiorari.



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